

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: Donald L. Yoho and
Roxanne L. Yoho

Debtor(s).

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X

Case No. 16-22380-JAD

Chapter 13

Related to Docs. #129 and 139

ORDER OF COURT
(Check Boxes That Apply)

☒ Confirming Plan on Final Basis

☐ Chapter 13 Plan dated:

☐ Authorizing Distributions Under Plan
On Interim Basis Solely as Adequate
Protection

☒ Amended Chapter 13 dated:
12-15-2020

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. **Unique Provisions Applicable Only to This Case:** *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$3,057, beginning 2/21. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- Peritus Portfolio Services II LLC CL #3
 - Quantum3 CL #1
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☒ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- Pingora Loan Servicing CL#25
- ☒ K. Additional Terms and Conditions:
- Unsecured creditors have been paid approximately 29.03% (in the POT amount of \$14,382.20) per prior confirmation order dated 9-3-2020, which payment is ratified.
 - Trustee's Certificate of Default (Doc #96) is treated as resolved by this Order.

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In

addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.


E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: 2/2/2021


United States Bankruptcy Judge
Jeffery A. Deller

In re:
Donald L Yoho
Roxanne L Yoho
Debtors

Case No. 16-22380-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Feb 02, 2021

User: dpas
Form ID: pdf900

Page 1 of 4
Total Noticed: 60

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 04, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Donald L Yoho, Roxanne L Yoho, 257 Euclid Rd, Butler, PA 16001-8065
cr	+ Ally Bank, Tucker Arensberg, P.C., c/o Brett A. Solomon, Esquire, 1500 One PPG Place, Pittsburgh, Pa 15222-5413
14252108	Ann Taylor/The Loft, P.O. Box 65969, San Antonio, TX 78266-9569
14252109	Bank of America, P.O. Box 982284, El Paso, TX 79998-2284
14315092	+ Bank of America, N.A., P O Box 982284, El Paso, TX 79998-2284
14252110	Barclays Bank Card, P.O. Box 8802, Wilmington, DE 19899-8802
14252111	Bosco's/Comenity Capital Bank, P.O. Box 659622, San Antonio, TX 78265-9622
14295269	Capital One NA, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14252113	+ Cenlar, PO Box 77404, Trenton, NJ 08628-6404
14252117	Citibank Simplicity, P.O. Box 9001037, Louisville, KY 40290-1037
14252118	+ Citibank/Citigroup, Bankruptcy Dept., P.O. Box 6034, Sioux Falls, SD 57117-6034
14252119	+ Citibank/Diamond Preferred Card, 100 Citibank Drive, San Antonio, TX 78245-3202
14252120	+ Convergent, 121 NE Jefferson St., Ste. 100, Peoria, IL 61602-1229
14252123	Discover/Tractor Supply Co., P.O. Box 15316, Wilmington, DE 19850-5316
14252125	+ First National Bank, 4140 E. State Street, Hermitage, PA 16148-3401
14992485	Flagstar Bank, FSB, P.O. Box 660263, Dallas, TX 75266-0263
14252127	+ Harley Davidson Financial Services, Dept 15129, 5505 N. Cumberland Ave Ste 307, Chicago, IL 60656-4761
14270345	+ Harley-Davidson Credit Corp., P.O. Box 9013, Addison, Texas 75001-9013
14252128	+ Home Depot/Citibank, P.O. Box 790328, Saint Louis, MO 63179-0328
14264925	Navient Solutions, Inc. on behalf of, Educational Credit Management Corporatio, PO BOX 16408, St. Paul, MN 55116-0408
14317146	+ PINGORA LOAN SERVICING, LLC, CENLAR FEDERAL SAVINGS BANK, 425 PHILLIPS BLVD., EWING, NJ 08618-1430
14252139	+ Sears/CBSD, P.O. Box 6275, Sioux Falls, SD 57117-6275
14252142	Tractor Supply Company, Attn: Customer Solutions Center, 5041 Virginia Way, Brentwood, TN 37027
14289869	+ Univ of Pittsburgh Physicians, 6681 Country Club DRive, Golden Valley MN 55427-4601
14289904	+ Upmc Community Medicine, 6681 Country Club Drive, Golden Valley MN 55427-4601

TOTAL: 25

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: bncemail@w-legal.com	Feb 03 2021 03:04:00	Synchrony Bank, c/o Weinstein & Riley, P.S., 2001 Western Ave., Suite #400, Seattle, WA 98121-3132
14252107	+ Email/Text: ally@ebn.phinsolutions.com	Feb 03 2021 03:02:00	Ally, PO Box 380901, Minneapolis, MN 55438-0901
14260794	Email/Text: ally@ebn.phinsolutions.com	Feb 03 2021 03:02:00	Ally Bank, PO Box 130424, Roseville MN 55113-0004
14295529	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Feb 03 2021 03:03:00	COMENITY CAPITAL BANK, C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
14252112	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Feb 03 2021 03:26:31	Cabelas Club Visa, P.O. Box 82519, Lincoln, NE 68501-2519
14252117	Email/PDF: Citi.BNC.Correspondence@citi.com	Feb 03 2021 03:26:49	Citibank Simplicity, P.O. Box 9001037,

District/off: 0315-2

User: dpas

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Date Rcvd: Feb 02, 2021

Form ID: pdf900

Total Noticed: 60

			Louisville, KY 40290-1037
14252118	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Feb 03 2021 03:25:03	Citibank/Citigroup, Bankruptcy Dept., P.O. Box 6034, Sioux Falls, SD 57117-6034
14252119	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Feb 03 2021 03:23:17	Citibank/Diamond Preferred Card, 100 Citibank Drive, San Antonio, TX 78245-3202
14252121	+ Email/Text: bdsupport@creditmanagementcompany.com	Feb 03 2021 03:04:00	Credit Management Company, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
14252122	Email/Text: mrdiscen@discover.com	Feb 03 2021 03:02:00	Discover, P.O. Box 15316, Wilmington, DE 19850-5316
14255894	Email/Text: mrdiscen@discover.com	Feb 03 2021 03:02:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
14252124	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Feb 03 2021 03:03:00	Dress Barn, P.O. Box 659704, San Antonio, TX 78265-9704
14252128	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Feb 03 2021 03:26:49	Home Depot/Citibank, P.O. Box 790328, Saint Louis, MO 63179-0328
14252129	Email/Text: bankruptcy@huntington.com	Feb 03 2021 03:03:00	Huntington National Bank, P.O. Box 182519, Columbus, OH 43218-2519
14252130	Email/Text: sbse.cio.bnc.mail@irs.gov	Feb 03 2021 03:03:00	Internal Revenue Service, Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346
14252114	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 03 2021 03:24:44	Chase, P.O. Box 15153, Wilmington, DE 19886-5153
14252115	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 03 2021 03:22:59	Chase, P.O. Box 15298, Wilmington, DE 19850-5298
14252116	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 03 2021 03:22:59	Chase Zappo Visa, P.O. Box 94014, Palatine, IL 60094-4014
14252126	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 03 2021 03:24:44	Freedom Chase Visa, P.O. Box 94014, Palatine, IL 60094-4014
14252132	Email/Text: BKRMailOPS@weltman.com	Feb 03 2021 03:03:00	Kay Jewelers, P.O. Box 740425, Cincinnati, OH 45274-0425
14252133	Email/Text: PBNCNotifications@perituservices.com	Feb 03 2021 03:02:00	Kohls, P.O. Box 3043, Milwaukee, WI 53201-3043
14278268	Email/PDF: resurgentbknofications@resurgent.com	Feb 03 2021 03:23:04	LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14296174	+ Email/Text: bankruptcydpt@mcmcg.com	Feb 03 2021 03:03:00	MIDLAND FUNDING LLC, PO Box 2011, Warren, MI 48090-2011
14252134	Email/PDF: pa_dc_claims@navient.com	Feb 03 2021 03:26:35	Navient, P.O. Box 9500, Wilkes Barre, PA 18773-9500
14381562	Email/Text: peritus@ebn.phinsolutions.com	Feb 03 2021 03:04:00	PERITUS PORTFOLIO SERVICES II, LLC, PO BOX 141419, Irving, Tx 75014-1419
14318598	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Feb 03 2021 03:26:34	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14252135	+ Email/PDF: gecsed@recoverycorp.com	Feb 03 2021 03:22:58	PayPal Credit, P.O. Box 105658, Atlanta, GA 30348-5658
14252136	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Feb 03 2021 03:03:00	Pier One Imports/Comenity Bank, P.O. Box 182273, Columbus, OH 43218-2273
14252137	Email/PDF: gecsed@recoverycorp.com	Feb 03 2021 03:22:58	QCard, P.O. Box 965017, Orlando, FL 32896-5017
14252138	Email/PDF: gecsed@recoverycorp.com	Feb 03 2021 03:24:43	QCard/Synchrony Bank, P.O. Box 530905,

District/off: 0315-2

User: dpas

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Date Rcvd: Feb 02, 2021

Form ID: pdf900

Total Noticed: 60

			Atlanta, GA 30353-0905
14270768	Email/Text: bnc-quantum@quantum3group.com	Feb 03 2021 03:03:00	Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
14308002	Email/Text: bnc-quantum@quantum3group.com	Feb 03 2021 03:03:00	Quantum3 Group LLC as agent for, Connexus Credit Union, PO Box 788, Kirkland, WA 98083-0788
14255874	Email/Text: bnc-quantum@quantum3group.com	Feb 03 2021 03:03:00	Quantum3 Group LLC as agent for, Sterling Jewelers Inc, PO Box 788, Kirkland, WA 98083-0788
14269417	Email/Text: bnc-quantum@quantum3group.com	Feb 03 2021 03:03:00	Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
14953464	+ Email/Text: bncmail@w-legal.com	Feb 03 2021 03:04:00	SYNCHRONY BANK, c/o Weinstein & Riley, P.S., 2001 Western Ave, Ste 400, Seattle, WA 98121-3132
14252139	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Feb 03 2021 03:26:50	Sears/CBSD, P.O. Box 6275, Sioux Falls, SD 57117-6275
14252140	Email/PDF: gecsedl@recoverycorp.com	Feb 03 2021 03:26:29	Synchrony Bank/Lowes, P.O. Box 530914, Atlanta, GA 30353-0914
14252141	Email/PDF: gecsedl@recoverycorp.com	Feb 03 2021 03:26:29	Synchrony Bank/Sams Club, P.O. Box 960061, Orlando, FL 32896-0061
14252143	+ Email/Text: BankruptcyNotice@upmc.edu	Feb 03 2021 03:04:00	UPMC Community Medicine, Inc., 2 Hotmetal Street, Quantum Building One, Customer Service, 2nd Floor, Pittsburgh, PA 15203-2348
14315594	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Feb 03 2021 03:24:45	WORLD'S FOREMOST BANK, CABELA'S CLUB VISA, PO BOX 82609, LINCOLN, NE 68501-2609
TOTAL: 40			

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		FREEDOM MORTGAGE CORPORATION
cr		Flagstar Bank, FSB
cr		Pingora Loan Servicing, LLC
cr	*	PERITUS PORTFOLIO SERVICES II, LLC, PO BOX 141419, IRVING, TX 75014-1419
14252131	*+	Internal Revenue Service, Insolvency Operation, Room 711B, 1000 Liberty Avenue, Pittsburgh, PA 15222-4107

TOTAL: 3 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 04, 2021

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: dpas

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Date Rcvd: Feb 02, 2021

Form ID: pdf900

Total Noticed: 60

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 2, 2021 at the address(es) listed below:

Name	Email Address
Brett A. Solomon	on behalf of Creditor Ally Bank brett.solomon@solomon-legal.com
Brian Nicholas	on behalf of Creditor Pingora Loan Servicing LLC bnicholas@kmlawgroup.com
Chrisovalanate P. Fliakos	on behalf of Creditor Pingora Loan Servicing LLC pawb@fedphe.com
Dai Rosenblum	on behalf of Debtor Donald L Yoho Jody@dairosenblumbankruptcy.com Dai@dairosenblumbankruptcy.com;Michael@dairosenblumbankruptcy.com
Dai Rosenblum	on behalf of Joint Debtor Roxanne L Yoho Jody@dairosenblumbankruptcy.com Dai@dairosenblumbankruptcy.com;Michael@dairosenblumbankruptcy.com
James A. Prostko	on behalf of Creditor Pingora Loan Servicing LLC pawb@fedphe.com
Jerome B. Blank	on behalf of Creditor Flagstar Bank FSB pawb@fedphe.com
Jerome B. Blank	on behalf of Creditor Pingora Loan Servicing LLC pawb@fedphe.com
Mario J. Hanyon	on behalf of Creditor Pingora Loan Servicing LLC wbecf@brockandscott.com, mario.hanyon@brockandscott.com
Mario J. Hanyon	on behalf of Creditor FREEDOM MORTGAGE CORPORATION wbecf@brockandscott.com mario.hanyon@brockandscott.com
Office of the United States Trustee	ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
Thomas Song	on behalf of Creditor Pingora Loan Servicing LLC pawb@fedphe.com

TOTAL: 13